STAND. COM. REP. NO. 2114

Honolulu, Hawaii

FEB 0 7 2014

RE: S.B. No. 2869

S.D. 1

Honorable Donna Mercado Kim President of the Senate Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

Madam:

Your Committee on Health, to which was referred S.B. No. 2869 entitled:

"A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION,"

begs leave to report as follows:

The purpose and intent of this measure is to protect the confidentiality of developmental disability and mental health information, while allowing reasonable use and disclosure as provided by the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Your Committee received testimony in support of this measure from the Department of Health, State Council on Developmental Disabilities, and Community Alliance for Mental Health.

Your Committee finds that allowing the reasonable use and disclosure of health records may benefit individuals, while ensuring the safety of the general public, by sharing information for purposes of treatment, payment, or health care operations. This measure allows health care providers that hold developmental disability and mental health records to share and access health care information using the HIPAA privacy rule, rather than the stricter and lesser known state laws.

Your Committee has amended this measure by:



- (1) Adding a new section to chapter 333F, Hawaii Revised Statutes, in which to more appropriately place the proposed amendments to section 333E-6, Hawaii Revised Statutes, that pertain to certificates, applications, records, and reports made for purposes of chapter 333F, Hawaii Revised Statutes; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2869, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2869, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on behalf of the members of the Committee on Health,

JOSH GREEN, Chair

The Senate Twenty-Seventh Legislature State of Hawai'i

Record of Votes Committee on Health HTH

Bill / Resolution No.:*	Committee Referral:			Date:	
SB 2869	HTH, JDL			2-3-14	
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
GREEN, M.D., Josh (C)		~			
BAKER, Rosalyn H. (VC)		✓			
CHUN OAKLAND, Suzanne		<i>i</i> /			
NISHIHARA, Clarence K.					ン
SLOM, Sam					<i>'</i>
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TOTAL		3	_	_	2
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Vellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

^{*}Only one measure per Record of Votes